

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(232)

CR No. 7471 of 2017

Date of Decision : 17.04.2023

Pritam Singh through Lrs. and another

...Petitioners

Versus

Pathankot Improvement Trust, Pathankot through its Chairman and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nitin Jain, Advocate for the petitioners.

Mr. I.S. Ratta, Advocate for respondent No. 1.

Harsimran Singh Sethi J. (Oral)

The present civil revision petition has been filed with a prayer that the application dated 24.12.2015 filed under Order 39 Rule 1 and 2 CPC along with the suit, has not been decided and that too without any valid justification. The prayer is for early disposal of the said application in accordance with law.

Learned counsel for the respondent No. 1 submits that he has no objection in case, the trial court is bound to decide the said application within a time frame.

Keeping in view the above, the trial court is directed that the application filed under Order 39 Rule 1 and 2 CPC dated 24.12.2015, a copy of which has been appended as Annexure P-10, be decided in

accordance with law after following due process within a period of eight weeks of the receipt of copy of this order.

Learned counsel for the petitioners submits that this Court had directed that the status quo with regard to possession over Khasra No. 136 be maintained.

Learned counsel for respondent No. 1 submits that let the said order be continued till appropriate order is passed on the application filed under Order 39 Rule 1 and 2, which is to be decided by the trial court now.

Keeping in view the above, without expressing any opinion upon the merits of the case, it is directed that the interim order dated 31.10.2017 will continue to operate upto the date appropriate order is passed by the trial court on the application filed under Order 39 Rule 1 and 2 CPC.

Present civil revision petition is disposed of in above terms.

April 17, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No